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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,640	12/28/2000	Duane Scott Dewald	TI-30205	6977

23494 7590 12/13/2001

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EXAMINER

ROBINSON, MARK A

ART UNIT	PAPER NUMBER
2872	

DATE MAILED: 12/13/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/750,640	DEWALD, DUANE SCOTT
Examiner	Art Unit	
Mark A. Robinson	2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 19 September 2001.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-30 is/are pending in the application.

4a) Of the above claim(s) 8,9,14 and 21-30 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-7,10-13 and 15-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election with traverse of species a. in Paper No. 5 is acknowledged. Since no arguments have been presented in support of the traversal, the election is considered as made without traverse. The requirement is still deemed proper and is therefore made FINAL.

Claims 1-7, 10-13 and 15-20 have been deemed to read on the elected invention and will be examined on the merits as follows.

Claims 8, 9, 14 and 21-30 are withdrawn from consideration as being drawn to non-elected subject matter.

***Claim Objections***

2. Claim 1 is objected to because of the following informalities: "said transmissive entrance aperture" in the last line lacks antecedent basis. It seems that this should instead read "said transmissive entrance aperture portion."

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,2,5,6 and 15-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaplan et al.

Kaplan shows in fig. 1 an integrating rod including an elongated body(12) with an entrance face which has a circular transmissive aperture(34) centered within a mirrored portion(24) allowing light to pass into the body and operable to reflect light passing through the body back to the entrance face.

Kaplan teaches in column 4 the integrator to be of either hollow or solid construction (made of glass), thus operating by either reflection or total internal reflection.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 3,4,7 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaplan et al.

With respect to claims 3,4 and 10-13, Kaplan does not show the particular geometry for the entrance aperture or elongated body as found in these claims. However, integrators having such configurations are well known in the art, and use thereof in Kaplan's device would have been obvious to the ordinarily skilled artisan at the time of invention depending upon the desired configuration or shape of the output beam.

With respect to claim 7, although not taught by Kaplan, use of a known metal reflecting layer in Kaplan's device would have been obvious to the ordinarily skilled artisan at the time of invention in order to increase the reflectivity of the body's interior.

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Peterson, Bowron

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et al, Sugawara, and Koyama all show various configurations for integrating rods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Robinson whose telephone number is (703) 305-3506.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cassandra Spyrou can be reached at (703) 308-1687. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

  
\_\_\_\_\_  
Mark Robinson

Patent Examiner

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12/11/01